

Mail to:

Pennsylvania Department of State  
Bureau of Corporations and Charitable Organizations  
207 North Office Building  
Harrisburg, PA 17120

See [dos.pa.gov/charities](http://dos.pa.gov/charities) for more information

## Request for Approval of Exemption/Exclusion

BCO-9 (7/2019)

Fee: None

FEIN: \_\_\_\_\_ - \_\_\_\_\_ Fiscal Year End: \_\_\_\_/\_\_\_\_/\_\_\_\_ Certificate no. \_\_\_\_\_  
MM DD YYYY (if applicable)

Full name of organization: \_\_\_\_\_

Principal address of organization: \_\_\_\_\_ Phone number: \_\_\_\_\_  
\_\_\_\_\_ Contact person: \_\_\_\_\_  
\_\_\_\_\_ Contact's email: \_\_\_\_\_  
\_\_\_\_\_ Website: \_\_\_\_\_

Check if this is name or address change and give previous name or address:

\_\_\_\_\_  
\_\_\_\_\_

An exemption/exclusion request that is not accompanied by all required documentation as listed below will not be considered. Do not request exemptions/exclusions that cannot be supported by documentation. An exemption/exclusion request has not been approved unless the organization receives a letter confirming the exemption/exclusion.

The organization is exempt from the registration requirements of the Solicitation of Funds for Charitable Purposes Act under 10 P.S. § 162.6 (relating to Exemptions from registration) or excluded from the Act under 10 P.S. § 162.3 (definition of charitable organization) or otherwise not required to register as a charitable organization under the Act for the following reasons (check as many as apply):

	Exemption claimed	Required documentation
<input type="checkbox"/>	<b>Educational institution or any auxiliary association, foundation or support group which is directly responsible to an educational institution</b> § 162.6(a)(1)	<ul style="list-style-type: none"> <li>Articles of incorporation/charter</li> <li>Bylaws</li> <li>Proof that the curricula of the educational institution is registered with, or approved by, the Pennsylvania Department of Education, either directly or by acceptance of accreditation by an accrediting body recognized by the Department of Education</li> <li>For auxiliary association, foundation or support group, "directly responsible" requires the organization be controlled or substantially controlled by the educational institution. This is often indicated in the formation documents, such as articles of incorporation. "Directly responsible" requires that the money raised by the auxiliary association go to support the educational institution, with control of the money raised largely in the hands of the educational institution. The auxiliary association/foundation/support group must be accountable to the educational institution.</li> </ul>

<input type="checkbox"/>	<b>Hospital or hospital foundation</b> § 162.6(a)(2)	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• Proof of licensure by the Pennsylvania Department of Health or the Pennsylvania Department of Human Services (formerly Public Welfare)</li> <li>• For hospital foundations, proof that it forms an integral part of the hospital</li> </ul>
<input type="checkbox"/>	<b>Veterans' organization chartered under federal law, volunteer fire company, ambulance association, rescue squad association and any auxiliary or affiliate thereof</b> § 162.6(a)(3)	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• Statement that all fundraising activities of the organization or association are carried on by volunteers, members or an auxiliary or affiliate thereof, who receive no compensation, directly or indirectly, for the fundraising activities</li> </ul>
<input type="checkbox"/>	<b>Public, nonprofit library organization</b> § 162.6(a)(4)	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• Evidence of partial funding from state or local government</li> <li>• Evidence of annual fiscal report to Pennsylvania State Library System</li> </ul>
<input type="checkbox"/>	<b>Senior citizen center or nursing home</b> § 162.6(a)(5)	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter showing organization is nonprofit and charitable</li> <li>• Bylaws</li> <li>• Proof of tax-exempt status under the Internal Revenue Code</li> <li>• Statement that all fundraising activities are carried on by volunteers, members or officers, who receive no compensation, directly or indirectly, for the fundraising activities</li> </ul>
<input type="checkbox"/>	<b>Parent/teacher association or organization</b> § 162.6(a)(6)	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• Notarized letter from the school district in which PTA/PTO is located, recognizing organization as parent/teacher association or organization</li> </ul>
<input type="checkbox"/>	<b>Corporation established by an act of Congress of the United States that is required to submit annual reports of its activities to Congress containing itemized accounts of all receipts and expenditures after being fully audited by the Department of Defense</b> § 162.6(a)(7)	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• Department of Defense Audit</li> </ul>
<input type="checkbox"/>	<b>Any charitable organization which receives gross national contributions of \$25,000 or less annually</b> § 162.6(a)(8)	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• Statement that organization does not compensate any person who conducts solicitations</li> <li>• Proof of gross national contributions such as recent 990 or financial reports (BCO-23 may be submitted if there is no 990 or financial reports)</li> </ul>

<input type="checkbox"/>	<b>Reciprocal exemption § 162.14</b> For charitable organizations organized under the laws of another state having their principal place of business outside this Commonwealth, whose funds are derived principally from sources outside this Commonwealth and which have been exempted from the filing of registration statements by the statute under whose laws they are organized if such state has a statute similar in substance to the provisions of the Pennsylvania law	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter (must be organized under the laws of another state)</li> <li>• Bylaws</li> <li>• Evidence of principal place of business outside Pennsylvania</li> <li>• Evidence that funds are derived principally from sources outside Pennsylvania</li> <li>• Evidence that organization has been exempted from the filing of registration statements by the charitable solicitation statute of its home state</li> <li>• A copy of the home state’s statute similar in substance to the provisions of Pennsylvania charitable solicitation statute</li> </ul>
	<b>Exclusion claimed</b>	<b>Required documentation</b>
<input type="checkbox"/>	<b>Organization of law enforcement personnel, firefighters or other persons who protect the public safety § 162.3</b>	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• Evidence that stated purpose in solicitations does not include any benefit to any person outside the actual active membership of the organization</li> </ul>
<input type="checkbox"/>	<b>Religious institution or a separate group or corporation which forms an integral part of a religious institution § 162.3</b>	<ul style="list-style-type: none"> <li>• Articles of incorporation/charter</li> <li>• Bylaws</li> <li>• For religious institutions, IRS documentation showing organization is recognized as a church (with a distinct legal existence, recognized creed and form of worship and definite and distinct ecclesiastical government) and is exempt from filing tax returns under the Internal Revenue Code</li> <li>• For separate group or corporation, IRS documentation for the religious institution (see above) and proof that the separate group forms an integral part of the religious institution – such proof might include a listing in an official denominational directory or may be indicated in documents such as articles of incorporation or bylaws</li> </ul>

Company name and address of individual completing this form (if different than charity information above):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**I certify that the information provided is true and correct to the best of my knowledge, information and belief. I understand that the falsification of any statement or document made is subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities) and 10 P.S. §162.17 (relating to administrative enforcement and penalties).**

**I understand that exemptions/exclusions from registration are applicable only as long as the organization continues to meet the exemption/exclusion criteria.**

\_\_\_\_\_  
Signature of authorized individual

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or print name and title of authorized individual

\_\_\_\_\_  
Phone number of signatory

Pennsylvania Department of State  
Bureau of Corporations and Charitable Organizations  
207 North Office Building  
Harrisburg, PA 17120  
Phone: (717) 783-1720 or 1-800-732-0999 (within PA)  
Web site: [dos.pa.gov/charities](http://dos.pa.gov/charities)

**Instructions for  
Request for Approval of  
Exemption/Exclusion**

BCO-9 Instructions (7/2019)

**Who should file this form:** If a charitable organization believes that it is exempt or excluded from the registration requirements of the Pennsylvania Solicitation of Funds for Charitable Purposes Act, 10 P. S. §162.1 et seq., it should apply to the Bureau of Corporations and Charitable Organizations for recognition and approval of the exemption or exclusion by submitting this form. For additional information on why an organization might be excluded or exempted from registration, please refer to the Bureau's Exclusions and Exemptions Chart at [dos.pa.gov/charities](http://dos.pa.gov/charities).

**Exemptions/exclusions from registration are applicable only as long as the organization continues to meet the exemption/exclusion criteria.**

**Excluded vs. exempted organizations:** Charitable organizations may be **exempt** from the registration requirements of the Solicitation of Funds for Charitable Purposes Act under 10 P.S. § 162.6 (relating to Exemptions from registration) or **excluded** from the Act under 10 P.S. § 162.3 (definition of charitable organization). If an organization is **exempt from registration requirements**, it must still comply with the other provisions of the Solicitation of Funds for Charitable Purposes Act (e.g. must keep true fiscal records as to its activities; may not utilize any unfair or deceptive acts or practices or engage in any fraudulent conduct which creates a likelihood of confusion or of misunderstanding, etc.). If a charitable organization is **excluded under the definition of charitable organization**, the excluded organization is not considered to be a charitable organization under the Act and none of the provisions of the Solicitation of Funds for Charitable Purposes Act applies to that organization.

**General:** The form may be typed and printed using the fillable .pdf version available at [dos.pa.gov/charities](http://dos.pa.gov/charities). If handwritten, please use black ink.

This form and all accompanying documents should be mailed to the address state above.

*Supporting documentation must be provided.* Failure to provide supporting documentation will delay the review process.

There is no fee for this filing.